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APPLICATION NO. 08/907,041	FILING DATE 08/06/97	FIRST NAMED INVENTOR GREENBERGER	ATTORNEY DOCKET NO.
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12/06/99

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Paper No. 18

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Washington, DC 20007-5109

In re Application of
Joel S. Greenberger
Serial No. 08/907,041
Filed: August 6, 1997
For: PROTECTION FROM IONIZING
RADIATION OR CHEMOTHERAPEUTIC
DRUG DAMAGE BY IN VIVO GENE
THERAPY

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.103(a), filed September 17, 1999, for Suspension of Prosecution in the instant application.

Applicants request suspension of prosecution to allow supplemental experimentation that applicant asserts will establish that claimed recombinant vectors provide a therapeutic effect. The supplemental experimentation involves *in vivo* administration of vectors representative of the scope of the invention.

Suspension of Action as delineated in 37 CFR 1.103, will be granted for good and sufficient cause (emphasis added) and for a reasonable time. In considering applicant's petition to suspend action, it is considered that applicant's efforts to show *in vivo* applicability will help in advancing prosecution of the instant application. Accordingly, the petition is GRANTED, and prosecution is suspended for a period of SIX (6) MONTHS from the date of mailing of this letter.

Should applicant desire to request an additional suspension beyond the 6 months requested, applicant must include with the petition evidence of progress to that time in fulfilling the objectives of the supplemental experimentation. Such evidence should include a description of the protocol of the experiments, the vectors tested and the results of the testing to that time.

George C. Elliott, for

John Doll,
Director
Technology Center 1600